



General Assembly

January Session, 2001

***Raised Bill No. 1350***

LCO No. 4409

Referred to Committee on Human Services

Introduced by:  
(HS )

***AN ACT CONCERNING GRANDPARENTS CARING FOR  
GRANDCHILDREN AND FOSTER CARE SUBSIDIES.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 17a-126 of the general statutes is repealed and the  
2 following is substituted in lieu thereof:

3 (a) As used in this section, "relative caregiver" means a person who  
4 is caring for a child related to such person because the parent of the  
5 child has died or become otherwise unable to care for the child for  
6 reasons that make reunification with the parent not a viable option  
7 within the foreseeable future and "commissioner" means the  
8 Commissioner of Children and Families.

9 (b) The Commissioner of Children and Families shall establish a  
10 program of subsidized guardianship for the benefit of [children] any  
11 child in the care or custody of the commissioner who [are] is living  
12 with a relative [caregivers] caregiver and who [have] has been in foster  
13 care or certified relative care for not less than [eighteen] twelve months  
14 [. The commissioner, within available appropriations, may establish a  
15 program of subsidized guardianship for the benefit of children in the

16 care or custody of the commissioner who are living with relative  
17 caregivers and who have been in foster care or certified relative care  
18 for not less than twelve but not more than eighteen months] or who is  
19 living with a relative caregiver who has been appointed guardian or  
20 coguardian of the child by any court of competent jurisdiction because  
21 the parent of the child has died or is terminally ill and the child is at  
22 risk of foster placement and the income of the relative caregiver is less  
23 than three hundred per cent of the federal poverty level. A relative  
24 caregiver may request a guardianship subsidy from the commissioner.  
25 If adoption of the child by the relative caregiver is an option, the  
26 commissioner shall counsel the caregiver about the advantages and  
27 disadvantages of adoption and subsidized guardianship so that the  
28 decision by the relative caregiver to request a subsidized guardianship  
29 may be a fully informed one.

30 (c) The subsidized guardianship program shall provide the  
31 following subsidies for the benefit of any child in the care of a relative  
32 caregiver who has been appointed the guardian or coguardian of the  
33 child by any court of competent jurisdiction: (1) A special-need  
34 subsidy, which shall be a lump sum payment for one-time expenses  
35 resulting from the assumption of care of the child when no other  
36 resource is available to pay for such expense; and (2) a medical subsidy  
37 comparable to the medical subsidy to children in the subsidized  
38 adoption program if the child lacks private health insurance. The  
39 subsidized guardianship program shall also provide a monthly  
40 subsidy on behalf of the child payable to the relative caregiver that  
41 shall be equal to the prevailing foster care rate for children who have  
42 been in the care or custody of the commissioner, and for children who  
43 are not in the care or custody of the commissioner, a monthly subsidy  
44 that shall be equal to the prevailing foster care rate less the amount of  
45 any benefits for survivors under the Social Security Act, federal Social  
46 Security disability or temporary family assistance that the child is  
47 currently receiving. The commissioner may establish an asset test for  
48 eligibility under the program that shall apply only to the child's assets.

49 (d) The commissioner shall adopt regulations, in accordance with  
50 chapter 54, implementing the subsidized guardianship program  
51 established under this section. Such regulations shall require, as a  
52 prerequisite to payment of a guardianship subsidy for the benefit of a  
53 minor child, that a home study report be filed with the court having  
54 jurisdiction of the case of the minor within fifteen days of the request  
55 for a subsidy, provided that no such report shall be required to be filed  
56 if a report has previously been provided to the court or if the caregiver  
57 has been determined to be a certified relative caregiver by the  
58 commissioner. The regulations shall also establish a procedure  
59 comparable to that for the subsidized adoption program to determine  
60 the types and amounts of subsidy to be granted by the commissioner  
61 as provided in subsection (c) of this section, for annual review of the  
62 subsidy as provided in subsection (e) of this section and for appeal  
63 from decisions by the commissioner denying, modifying or  
64 terminating such subsidies.

65 (e) The guardianship subsidy provided under this section shall  
66 continue until the child reaches the age of eighteen or the age of  
67 twenty-one if such child is in full time attendance at a secondary  
68 school, technical school or college or is in a state accredited job training  
69 program. Annually, the subsidized guardian shall submit to the  
70 commissioner a sworn statement that the child is still living with and  
71 receiving support from the guardian. The parent of any child receiving  
72 assistance through the subsidized guardianship program shall remain  
73 liable for the support of the child as required by the general statutes.

74 (f) A guardianship subsidy shall not be included in the calculation  
75 of household income in determining eligibility for benefits of the  
76 relative caregiver of the subsidized child or other persons living within  
77 the household of the relative caregiver.

78 (g) Payments for guardianship subsidies shall be made from  
79 moneys available from any source to the commissioner for child  
80 welfare purposes. The commissioner shall develop and implement a

81 plan that: (1) Maximizes use of the subsidized guardianship program  
82 to decrease the number of children in the legal custody of the  
83 Commissioner of Children and Families and to reduce the number of  
84 children who would otherwise be placed into foster care when there is  
85 a family member willing to provide care; (2) maximizes federal  
86 reimbursement for the costs of the subsidized guardianship program,  
87 provided whatever federal maximization method is employed shall  
88 not result in the relative caregiver of a child being subject to work  
89 requirements as a condition of receipt of benefits for the child or the  
90 benefits restricted in time or scope other than as specified in subsection  
91 (c) of this section; and (3) ensures necessary transfers of funds between  
92 agencies and interagency coordination in program implementation.  
93 The Commissioner of Children and Families shall seek all federal  
94 waivers as are necessary and appropriate to implement this plan.

95 (h) There is established a grandparents-as-parents program within  
96 the Department of Social Services to provide support for grandparents  
97 who raise a grandchild. The program shall provide a clearinghouse of  
98 information regarding services available in the state for relative  
99 caregivers. The grandparents-as-parents program shall also provide  
100 training on the needs of relative caregivers and available services. The  
101 training shall be offered to relevant professionals, including, but not  
102 limited to, case workers within the Department of Children and  
103 Families and the Department of Social Services and staff of any court  
104 of competent jurisdiction.

105 Sec. 2. This act shall take effect July 1, 2001.

***Statement of Purpose:***

To (1) reduce, from eighteen to twelve months, the time a child must have been in Department of Children and Families' foster care or certified relative care to qualify for its subsidized guardianship program; (2) eliminate the commissioner's discretion, within available appropriations, to provide subsidies for those who have been in foster or relative care between twelve and eighteen months; (3) allow relative caregivers appointed as guardians or coguardians by either Probate or Superior courts to qualify for the same subsidy under certain

conditions; and (4) establish the Grandparents-as-Parents program within the Department of Social Services to provide support and information for grandparents raising grandchildren and training on their needs for relevant professionals.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*